

**Remarks/Arguments:**

Claims 21-23, 25-27 and 41-43 are pending. Claims 42 and 43 are newly added. Applicants respectfully submit that no new matter is added.

**Claim Rejections Under 35 U.S.C. §103**

Claims 21-23, 25-27 and 41 stand rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 6,120,522 (Vrba et al.) in view of U.S. Patent No. 5,976,155 (Foreman et al.). Applicants respectfully traverse these rejections.

The current application is a divisional application of U.S. Application Serial Number 09/270,949, and has an effective filing date of March 17, 1999. Vrba et al. was filed on August 27, 1998 and issued on September 19, 2000. Accordingly, Vrba et al. only qualifies as prior art under 35 U.S.C. §102(e).

At the time of the invention was made, both the present invention and the invention of Vrba et al. were owned by the same person or subject to an obligation of assignment to the same person. As such, Vrba et al. is disqualified as prior art under 35 U.S.C. §103(c).

Foreman et al. was cited against claims 21-23, 25-27 and 41 for a limited purpose and does not teach or suggest each limitation of the claimed invention. It is respectfully submitted that pending claims 21-23, 25-27 and 41 are in condition for allowance.

**New Claims**

New claim 42 recites a stent delivery system comprising: a catheter having an inner shaft; a ring disposed on the inner shaft, the ring having discontinuous protrusions at different circumferential positions; a stent mounted around the inner shaft, the protrusions having an outside diameter at least as great as the outer diameter of the mounted stent and extending through a portion of the proximal end of the stent; and a sheath having a longitudinal length positioned around the stent.

As set forth in applicants' January 30, 2006 Amendment, Vrba et al. does not teach protrusions having an outside diameter at least as great as the outer diameter of the mounted stent. Moreover, and as noted in the Remarks of the Amendment filed March 14,

2005, the protrusions which extend radially outward from the base part of the ring and beyond the outer diameter of the stent allow for reliable stent retention within the device. This is due to the fact that the protrusions extend all of the way through the open areas of the stent and thereby prevent longitudinal movement of the stent as the outer sheath is moved with respect to the stent and the inner shaft, as seen clearly in Figs. 17B and 18.

Foreman et al. does not teach or suggest a sheath having a longitudinal length positioned around the stent. Foreman et al. requires crimping of the stent about the expandable member (see column 4, lines 23-25).

Since Vrba et al. only constitutes prior art under 35 U.S.C. §102(e), it would be improper to combine the teachings of Vrba et al. and Foreman et al. It is respectfully submitted that claim 42 is in condition for allowance.

Similarly, new claim 43 recites a method of assembling a stent delivery system comprising: a catheter having an inner shaft; disposing a ring on an inner shaft of a catheter, the ring having discontinuous protrusions at different circumferential positions; mounting a stent around the inner shaft, the protrusions having an outside diameter at least as great as the outer diameter of the mounted stent and extending through a portion of the proximal end of the stent; and positioning a sheath having a longitudinal length around the stent.

As explained above, Vrba et al. does not teach protrusions having an outside diameter at least as great as the outer diameter of the mounted stent.

Foreman et al. does not teach or suggest positioning a sheath having a longitudinal length around the stent. Foreman et al. requires crimping of the stent about the expandable member (see column 4, lines 23-25).


Since Vrba et al. only constitutes prior art under 35 U.S.C. §102(e), it would be improper to combine the teachings of Vrba et al. and Foreman et al. It is respectfully submitted that claim 43 is in condition for allowance.

**Conclusion**

For all of the above reasons, pending claims 21-23, 25-27 and 41-43 in the application are believed to be in condition for allowance, which action is earnestly solicited.

If the Examiner believes an interview, either personal or telephonic, will advance the prosecution of this matter, it is respectfully requested that the Examiner get in contact with the undersigned to arrange the same.

Respectfully submitted,

  
Jonathan H. Spadt, Reg. No. 45,122  
Glenn M. Massina, Reg. No. 40,081  
Attorneys for Applicants

JHS/GMM/ap

Dated: June 27, 2006

<input checked="" type="checkbox"/> P.O. Box 980 Valley Forge, PA 19482 (610) 407-0700
<input type="checkbox"/> P.O. Box 1596 Wilmington, DE 19899 (302) 778-2500

The Director is hereby authorized to charge or credit Deposit Account No. **18-0350** for any additional fees, or any underpayment or credit for overpayment in connection herewith.

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, with sufficient postage, in an envelope addressed to:  
Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on: 6/27/06

